

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

RONALD WENING,	:	
Plaintiff,	:	Case No. 3:06CV300
vs.	:	District Judge Walter Herbert Rice
		Magistrate Judge Sharon L. Ovington
MICHAEL J. ASTRUE,	:	
Commissioner of the Social	:	
Security Administration,	:	
Defendant.	:	

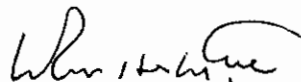
**DECISION AND ENTRY ADOPTING REPORT AND RECOMMENDATIONS
FILED ON MARCH 14, 2008 (Doc. #12); REMANDING THIS CASE TO THE
COMMISSIONER OF THE SOCIAL SECURITY ADMINISTRATION UNDER
SENTENCE FOUR OF 42 U.S.C. §405(g) FOR PAYMENT OF SSI BENEFITS TO
PLAINTIFF RONALD WENING BASED ON THE SSI APPLICATIONS AT ISSUE
IN THIS CASE; AND TERMINATING THE CASE ON THE DOCKET OF THIS
COURT**

The Court has conducted a de novo review of the Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. #12), to whom this case was originally referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** said Report and Recommendations. It is therefore **ORDERED** that:

1. The Report and Recommendations filed on March 14, 2008 (Doc. #12) is ADOPTED in full;
2. The Commissioner's final non-disability decision is REVERSED;
3. This case is REMANDED to the Commissioner under Sentence Four of 42 U.S.C.

§405(g) for calculation and payment of SSI benefits to Plaintiff Ronald Wening based on the SSI applications at issue in this case; and

4. The case is terminated on the docket of this Court.



Walter Herbert Rice
United States District Judge